GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Prohibition & Excise Department – Allegation of Criminal Misconduct and Criminal Conspiracy against Sri P.Satyanarayana Prasad, formerly Prohibition & Excise Superintendent, Eluru, (Retired on 30.06.2013 as Assistant Commissioner) for his involvement in the liquor syndicate case of West Godavari District – Disciplinary action initiated – Case entrusted to Commissioner of Inquiries - Inquiry not completed within the time bound - Implemented the Hon'ble High Court Orders dated 02.02.2018 in C.C.No.1318 of 2017 in W.P.No.24892/2016 – Orders – Issued.

= = = =

5. Sri P. Satyanarayana Prasad, formerly Prohibition & Excise Superintendent, Eluru has filed W.P.No.24892/2016 before Hon'ble High Court against the charges framed on him and prayed for pensionary benefits. The Hon'ble High Court has passed the following order dated 03-11-2016 in the said W.P.(operative portion):

> *"However, it is stated by the counsel for the petitioner that the petitioner sought time to inspect the documents. We do not know whether it was a genuine request or dilatory tactics. Be that as it may, the completion, of enquiry, at the earliest stage, will not only benefit the petitioner but also benefit the respondents. Therefore, the writ petition is allowed. The order of the Tribunal is modified. The respondents are directed to complete the enquiry within a period of six months, subject to the cooperation of the petitioner. If the petitioner does not cooperate, the period of six months fixed herein cannot be put against them by the petitioner".*

6. Accordingly, the said orders of the Hon'ble High Court have been communicated to General Administration (COI-P) Department with a request to complete the enquiry within stipulated time prescribed therein vide reference 9th read above.

7. Sri P. Satyanarayana Prasad, formerly Prohibition & Excise Superintendent., Eluru (Retired as Assistant Commissioner, Prohibition & Excise Department) filed C.C. No.1318/2017 for non implementing the above orders of the Hon'ble High Court. The Hon'ble High Court has passed the following order dated 02-02-2018 in C.C.No.1318/2017 in W.P.No.24892/2016 (operative portion):

> "7. Hence, the respondents are granted time up to 30.06.2018 to complete the inquiry. If the inquiry is not completed on or before the said date, the respondents are obliged to pay all the terminal benefits including the gratuity, and thereafter, proceed under Rule 9 of the Pension Rules in respect of the future pension. Accordingly the Contempt Case is close."

8. Accordingly, the said orders of the Hon'ble High Court have also been communicated to General Administration (COI-PKS) Department with a request to complete the enquiry within stipulated time prescribed therein vide reference 14th read above. But, the departmental proceedings have not been concluded within the stipulated time prescribed by the Hon'ble High Court.

9. Government, after careful examination of the entire matter, and keeping in view of the orders dated 02.02.2018 of Hon'ble High Court of Judicature in Contempt Case No.1318 of 2017 in Writ Petition. No. 24892/2016 filed by Sri P. Satyanarayana Prasad, formerly Prohibition & Excise Superintendent, Eluru (Retiewd) have decided to implement the orders of Hon'ble High Court dated 02.02.2018 and to release full pension and other retirement benefits to Sri P. Satyanarayana Prasad, formerly Prohibition & Excise Superintendent, Eluru (Retired as Assistant Commissioner, Prohibition & Excise Department) subject to finalization of above disciplinary case.

10. Accordingly, Government hereby order to implement the orders dated 02.02.2018 of Hon'ble High Court of Judicature in Contempt Case No.1318 of 2017 in Writ Petition No.24892/2016 filed by Sri P. Satyanarayana Prasad, formerly Prohibition & Excise Superintendent, Eluru (Retired as Assistant Commissioner, Prohibition & Excise Department) and to release full pension and other retirement benefits to him subject to finalization of above disciplinary case.

11. The Commissioner of Prohibition and Excise shall take further necessary action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

To
Sri P.S.Prasad, formerly Prohibition & Excise Superintendent, Eluru (Retired as Assistant Commissioner, Prohibition & Excise Department) through Commissioner, Prohibition and Excise, Andhra Pradesh, Vijayawada.
The Commissioner of Prohibition and Excise, Andhra Pradesh, Vijayawada.
Copy to:
The Director General, Anti Corruption Bureau, Andhra Pradesh, Vijayawada.
The Secretary to Vigilance Commissioner, Andhra Pradesh Vigilance Commission, Andhra Pradesh Secretariat, Velagapudi.
The Government Pleader for Services, Andhra Pradesh High Court, Amaravathi. w.r.t CC.No.1318/2017 in W.P.No.24892/2016.
The Accountant General, Andhra Pradesh, Amavarathi @ Vijayawada/ Hyderabad.
The District Treasury Officer, West Godavari District.
The Director of Treasuries and Accounts, Andhra Pradesh, Vijayawada.
Sc/Sf.

//FORWARDED BY ORDER//

SECTION OFFICER